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The undersigned certifies that this correspondence is being sent via first-class mail, with adequate postage, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 5th day of September, 2005.

(s) Linda S. Evans
Linda S. Evans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Applicant: Dubin et al. Atty. Docket: ORT-1601
Serial No.: 10/090,215 Art Unit: 1647
Filed: March 4, 2002 Examiner: Jon McClelland Lockard
For (as amended): HUMAN VANILLOID Confirmation No.: 5197
RECEPTOR VR3
PROTEIN

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner finally rejecting claims 11 and 23 of the above-identified application. Please charge the fee of \$500.00 for filing this notice of appeal to Deposit Account No. 10-0750.

Applicant also petitions for a one-month extension of the due date for responding to the final Office Action dated June 6, 2005. Please also charge the \$120.00 extension fee to the above-referenced Deposit Account.

10/11/2005 TBESHASH1 00000029 100750 10090215

01 FC:1401 500.00 DA

10/11/2005 TBESHASH1 00000029 100750 10090215
02 FC:1251 120.00 DA

A copy of this paper is enclosed for purposes of charging the necessary fees to the Deposit Account. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, in connection herewith to Deposit Account No. 10-0750.

Respectfully submitted,



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Date: September 5, 2005